

## The Sun.

THURSDAY, MARCH 23, 1882.

## Announcements To-Day.

**American Photo-Engraving Company.**  
**Bethel's Theatre.**—The manager has announced that the new season will open on April 1st.  
**Bethel's Mission.**—Blessing services at Bethel's Theatre every evening.  
**Bethel's Theatre.**—The new season will open on April 1st.  
**Bethel's Theatre.**—Manager, Mrs. Maria Smith.  
**Bethel's 5th St. Theatre.**—Closed.  
**Madison Square Garden.**—Closed.  
**Madison Square Theatre.**—Closed.  
**San Francisco Mechanics' Exchange and Hall.**  
**Sherman's Theatre.**—Closed.  
**Theatre Comique.**—Season suspended.  
**Tony Pastor's Theatre.**—Fully booked.  
**Union Square Theatre.**—The English League, Phillips.  
**Wallack's Theatre.**—Vacant.  
**Windsor Theatre.**—The English League.

## Subscription Rates.

DAIRY, 42 pages, per month, \$6.50;  
 year, postpaid, \$72.70.

SUNDAY, 88 pages, \$1.20 per year, postpaid.

WEEKLY, 50 cents a line, no extra charge for large type. Preferred positions from 10 cents to \$2.

## Advertising Rates.

DAILY ADVERTISING, 40 cents a line, ordinary advertising, large type, 80 cents, and preferred positions, so cents to \$2.00 according to classification.

WEEKLY, 50 cents a line, no extra charge for large type. Preferred positions from 10 cents to \$2.

## The Proper Course in Sergeant Mason's Case.

We do not approve the applications which are making for a commutation of the sentence in Sergeant Mason's case. There ought not to have been any trial or sentence at all by a military court. The right way to dispose of the matter is to turn the court-martial proceedings over to the civil authorities of the District of Columbia to be dealt with according to law.

In that event the plea of former jeopardy would not avail, because if the court martial was without jurisdiction, the liberty of the defendant had not been imperiled within the meaning of the Constitution.

We observe that some reliance is placed upon article 6 of the amendments to the Constitution as the basis of a proposed application to the Supreme Court of the United States in Sergeant Mason's behalf. This amendment provides that in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed. In our opinion, however, it is not clear that this or any of the amendments deprives Congress of the power, under other provisions of the Constitution, to provide for the punishment of crimes in the land or naval forces by military or naval courts, if Congress shall see fit so to do, without respect to the existence of peace or war.

But the point in Sergeant Mason's case is that Congress has not seen fit to authorize a court martial to try a soldier for assault with intent to kill, when committed in time of peace, in a territorial jurisdiction whose laws provide for the punishment of that crime. No other view can be entertained without depriving some of the articles of war of their plain meaning and effect.

It does not seem to us necessary to assert, therefore, that Congress might not empower a court martial to do what this particular court martial has done, it is enough to show that Congress has not exercised the power.

Under all the circumstances, the disposition of the case which we have suggested would be most satisfactory. A Washington jury could be trusted to deal with Sergeant Mason according to his deserts.

## The News from Rome.

We print in another column some interesting information relating to the additions which it is expected will be made to the Sacred College in the next Consistory, and also to the new policy of active journalistic propaganda which the Pope is said to favor.

Of the seven prelates who are about to be made Cardinals, four are Italians, one is a Frenchman, one a Spaniard, and one an Irishman. It is natural that if a red hat is to be conferred on any member of the Irish hierarchy, the Catholic Primate of Ireland should be selected for the honor. We predict, however, that his nomination to the Cardinals will be viewed with more satisfaction by English Catholics than by the majority of the Irish clergy, who can hardly be said to have approved the zealous support given by Dr. McCullough to the Gladstone Government throughout the present struggle between Church and State.

There was another matter to which Gen. HUMPHREY seems to have devoted some attention in that part of his conference with SUPHREY which related to the practical business features of the latter's scheme. It is plain that he endeavored to ascertain the comparative situation of the COCHET claimants and of the Credit Industrial as regards the command of cash. "The principal suggestion made," writes SUPHREY, "is that you were among the first to adopt this view of Gen. GARFIELD's character, and to offer it as the most charitable explanation of his proven misdeeds. Before he had been in the field for a week as your candidate for President, you made him this remarkable defense against the record."

We are aware that COCHET's record may be ascribed in part to the fact that he was a weak man, and that when he was a captain for the Senate he was entirely unacquainted with the intricacies of the military service. His record, however, has not unreasonably led to the suspicion that the awkwardness of his handling of the COCHET claimants was due to the want of knowledge of the principles of military discipline, and that the readiness with which he accepted the COCHET claimants' offer to pay him off was due to the want of knowledge of the principles of military discipline.

Pondering the attitude maintained by HUMPHREY during this interview, and recalling certain incidents in his public record, SUPHREY determined, so he told the committee, to gain the good will of our Minister to Lima by offering "to reserve for him and his friends \$200,000 in the stock of the Peruvian Company, the terms of payment to suit the Minister's convenience." SUPHREY's comment on his own letter of June 2d, when the offer was made to HUMPHREY, has a Macawian flavor. The letter, missed SUPHREY, "may or may not have been artistic and well constructed. I thought it was, and, with all diffidence, I think so still. I think it was as absent as a hand holding him, the soap end of the stick as I could conceive."

The investigating committee was not disposed to dispute the artistic finish of the epistle, but asked the witness to state in plain terms whether he considered HUMPHREY purchased. "Most emphatically," rejoined SUPHREY, "he did, however, that he meant to 'purchase' HUMPHREY in the strict discreditable meaning of the word. He drew new and nice distinction between a bribe given with the affirmative design of securing the active complicity of a public officer, and a sop thrown with the negative purpose of averting aggressive hostility in the interest of a rival scheme. In short, what SUPHREY meant to accomplish by his little missile to HUMPHREY was not to buy him, but buy him off. It was not my purpose, protests SUPHREY, in an outburst of virtuous indignation, to influence HUMPHREY's official action—"No, sir; utterly the

contrary; it was to prevent him from attacking us through the power of his office."

Now, let us see what HUMPHREY did about this letter of June 2d. He did absolutely nothing—although more than a month elapsed before his departure for Peru. Are we to infer that his sense of honor was so revolted at SUPHREY's proposition that his arm was paralyzed? or that his business instincts failed to discern in it the elements of an attractive operation? It is in evidence that the latter interpretation was placed upon his conduct by Senator BLAINE and Mr. BLAINE. SUPHREY swears that on July 25 he recounted to the Secretary of State the handsome offer he had made to our Minister at Lima, and that the third party present, Senator BLAINE, descended on "the folly of attempting to seduce Gen. HUMPHREY by offering to sell him stock. The Secretary nodded and laughed, and said he did not think that we would 'fetch him,' or some remark of that sort." At a subsequent interview with Mr. BLAINE the same matter was again discussed, but at no time, says the witness, was there "the slightest intimation given by the Secretary that there was anything improper in my letter."

In other words, an attempt to bribe a United States Minister with stock, instead of with hard cash, was, in the eyes of a Secretary of State, a good joke—but all. It was not until Dec. 3, when some light had been let upon the Peruvian scandal by THE SUN, that Mr. BLAINE suddenly detected an impropriety in SUPHREY's offer, and, by a curious coincidence, it was not until Nov. 23, or nearly six months after its reception, that HUMPHREY's sensitive conscience led him to forward SUPHREY's letter to the State Department.

It must be owned that SUPHREY's examination has so far left our Minister to Peru in a disagreeable position. Of his bearing on Mr. BLAINE, we shall have more to say when SUPHREY has testified in regard to all the interviews he had with the Secretary of State.

Democrats Then and Now.

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What occurred at the interview between SUPHREY and HUMPHREY which took place in accordance with a telegram from the latter at the Fifth Avenue Hotel in this city on the morning of May 30? The witness swears that the letters of June 1 and June 21 (full and correct copies have been furnished by the letter of May 25) refer to that of the 21st as being one of "explanation," and under date of May 31 SUPHREY writes that HUMPHREY's statements made to him on the previous day were in the nature of a reply to the letter of May 21. It is plain, therefore, that this letter document, which is not forthcoming, contained the key of all this preliminary part of the correspondence.

The writers and speakers at the Chicago banquet went back to JEFFERSON and JACKSON for the same reason that writers and speakers on the Christian religion go back to the Bible for both text and inspiration. The principles of Democracy emanated by JEFFERSON, and illustrated by the administrations of JEFFERSON, MADISON, MONROE, and JACKSON, are sacred and immutable. They must endure, in more or less practical application, so long as the present Constitution survives; the abandonment of one means the abandonment of the other and the total loss of local self-government in these States. They are ever fresh, always needing iteration and reiteration, as the very gospel of free institutions; and the man who talks about them as matters of a departed interest, merely advertises his ignorance or his impudence.

But there have been Democrats since JEFFERSON, and even since JACKSON. A very great majority of the American people declared themselves Democrats by their votes in 1856, and duly elected the candidates of the Democratic party, only to see themselves swindled out of their right to choose their own rulers. Mr. TILDEN was a Democrat; he scattered the Rings, punished the thieves, reduced expenses and taxes, and gave us an honest State Government.

That was Jeffersonian Democracy, and was to be very timely indeed. Mr. RAYDALL and a majority of the Forty-fourth Congress were Democrats. They cut down expenditures by the millions, drove out the lobby, crushed robbery, and for once relieved Congress of the scandals which Republican corruptionists had brought upon it. That was also Jeffersonian Democracy—the very essence of it. It was warmly approved by the people since JEFFERSON himself put it in practice; and it always will be whenever their sober judgment is invoked upon it. If the Democrats are wise, they will, in 1882, teach the Tribune, DAY, GOURIN, the centralists, and the monopolists, this plain lesson in a way not to be forgotten.

Mr. HUMPHREY's record is to be accounted for in plain language.

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